

United States Department of State

# SUPPORTING HUMAN RIGHTS AND DEMOCRACY:



THE U.S. RECORD 2004 - 2005



**“It is the policy of the United States to seek and support the growth of democratic movements and institutions in every nation and culture, with the ultimate goal of ending tyranny in our world.”**

**President George W. Bush  
2005 Inaugural Address**

## Guinea Bissau

At the beginning of 2004 the human rights and democracy situation in Guinea-Bissau was gradually improving. The Transition Government, formed after the September 2003 coup that ousted autocratic President Kumba Yala, made some improvements, including allowing the Supreme Court to elect its leadership and resume hearing cases and allowing civil society, labor and the press to freely assemble and express opinions.

March elections brought a democratic government to power, led by Prime Minister Carlos Gomes Junior, who took office in May. The parliament, which had ceased to function in November 2002, took up normal business. The Gomes Junior Government actively engaged Bissau-Guineans and the international community in a dialogue aimed at restoring democracy and protecting human rights. As illustrated by the October 6, 2004, military mutiny, during which time soldiers murdered the Chief of Defense and his aide, serious problems threaten these efforts. The primary threat to human rights and democracy in Guinea-Bissau continued to be a bloated, outdated military that does not always respect civilian authority. Impunity and corruption remained problems, although less so than in previous years. Prison conditions remained poor. Violence and discrimination against women, female genital mutilation (FGM), child labor and child trafficking occurred. The other major obstacles to human rights and democracy in Guinea-Bissau were a weak economy and fragile democratic institutions.

With extremely limited resources (no funding available in 2004 for bilateral USAID, Democracy and Human Rights Fund, Special Self-Help, or other programs), the U.S. strategy for supporting human rights and democracy is to encourage free and fair elections and support the democratic Government of Guinea-Bissau; strengthen nascent democratic institutions such as the parliament and courts; and encourage the Bissau-Guinean military toward reform and respect for civilian authority.

The United States responded to the Bissau-Guinean military's undemocratic behavior by care-

fully coordinating with the international community. Following the October 6 mutiny, the international community, represented by the UN Secretary General's Representative in Guinea-Bissau, the Community of Portuguese Speaking Countries, and the Economic Community of West African States, was best placed to help the Government of Guinea-Bissau ease tensions in the country. The United States supported these efforts by sharing information with international partners and preparing public statements in support of Guinea-Bissau's democratic Government.

The United States also responded to the mutiny by identifying the appropriate long-term strategy toward the Government, the military and civil society. The Gomes Junior Government is widely recognized as the most competent and well-meaning Government Guinea-Bissau has had in 30 years since independence from Portugal. The Government requires support to retain legitimacy, gain full control of the military, and develop the economy to promote stability.

Since the 2003 coup, the U.S. Ambassador to Guinea-Bissau and other Dakar-based officials met frequently with the Transition Government, pressing the Bissau-Guineans to hold legislative elections. The U.S. Embassy in Dakar, Senegal, sent a team to observe the March legislative elections and concurred with the other international election observers' assessment of the elections as free and fair. In recognition of this democratic advance, the United States lifted bilateral sanctions against Guinea-Bissau that had been imposed following the 2003 coup. Through frequent face-to-face contact with the new leaders of Guinea-Bissau, the United States now continues to remind the Bissau-Guineans of their commitment to hold a presidential election in 2005. The United States also urges political, military, and ethnic leaders not to interfere with the presidential election.

The United States has funded a program to strengthen Guinea-Bissau's Parliament. In 2004, the United States re-initiated the International Visitors Program in Guinea-Bissau, sending a Guinean-Bissau participant on a well-received regional program on democracy and citizen partic-

ipation. This allowed the participant to make contacts in the United States for bolstering human rights activities in Guinea-Bissau as well as to share experiences with participants from Angola and other countries that have faced challenges similar to those in Guinea-Bissau. The participant, a human rights activist and lawyer, continues to be a strong voice for human rights and democracy.

The United States has renewed efforts to maintain working contacts with these local media outlets by providing them with regular press releases and information. Guinea-Bissau has several newspapers read by a small group of educated elite, numerous community radio stations and a local television station. Unlike in previous years, Guinea-Bissau's media operated without government restriction or interference.

The rule of law has improved significantly since September 2003, with the presidency no longer impeding the work of parliament, courts, the Government and the press. However, weaknesses remain, including a military that sometimes operates outside its legal authority, unprofessional police who sometimes abuse their authority and courts that do not have sufficient resources or capacity to act. Also, in many rural areas state institutions do not exist. In these areas, locals occasionally resort to traditional justice or vigilantism instead of formal legal remedies.

The United States is particularly concerned about Bissau-Guinean women and children's rights. FGM is still a common practice in many parts of Guinea-Bissau. One local non-governmental organization has achieved some success in sensitizing local communities about the dangers of this practice, providing alternative means of initiation and social acceptance for women and girls and providing alternative employment for those who practice FGM.

As the aggressor in the October 6 mutiny, Guinea-Bissau's military requires reform and downsizing to transform it into a "republican army." The United States is pursuing a strategy of cooperation aimed at pushing the Bissau-Guinean military toward reforms and away from de-stabilizing activities. The United States is planning programs

on civil-military relations and military justice to teach the Bissau- Guinean military how to behave in a democratic society. The United States can begin implementing these programs as soon as the Government formally indicates its political will to cooperate in these areas.

Animism, Islam and several denominations of Christianity have followers in Guinea-Bissau. Relations among these groups are good and there is no evidence of government interference in the free practice of religion. The United States maintains ties with representatives of all these groups. In fact, the United States hosted events to bring Guinea-Bissau's Muslim community together in 2004.

In all employment sectors in Guinea-Bissau there are occasional strikes concerning wages, due to Guinea-Bissau's dire economic situation. Though evidence is only anecdotal, many Bissau-Guinean boys sent to Quranic schools in Dakar and other regional cities are forced to beg rather than attend school.

## Kenya

Following 24 years of "strong man" rule, the peaceful political transition in December 2002 provided Kenyans and the international community with hope that the new Government headed by Mwai Kibaki would enact meaningful reforms to create a new constitution, combat corruption, jump-start the economy, and improve human rights. Few of these hopes have been fulfilled. The Government has passed anti-corruption legislation and removed some allegedly corrupt judges. The Government successfully prosecuted, and then released, one mid-level official for corruption, but to date, there have been no arrests or prosecutions of senior officials involved in any number of large-scale corruption cases. The constitutional review process is mired in political in-fighting, unemployment is close to 50 percent and more than one-half of all Kenyans continue to live on less than one dollar a day. Despite some progress, Kenya's human rights record remains troubled. The Government has made some improvements in prison conditions, but overcrowding, long periods

